

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VERONICA GUTIERREZ, TIM )  
FOX, ERIN WALKER and )  
WILLIAM SMITH, as )  
individuals, and on )  
behalf of all others )  
similarly situated, )  
Plaintiffs, ) No. CV-07-5923 WHA  
vs. )  
WELLS FARGO & COMPANY; )  
WELLS FARGO BANK, N.A.; )  
and DOES 1 through 125, )  
Defendants. )

CONFIDENTIAL DEPOSITION OF

PAUL WILLIAMSON

Held at the Law Offices of  
Covington & Burling

One Front Street, San Francisco, California

Wednesday, July 9, 2008, 12:59 p.m.

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REPORTED BY: ELAINA L. BULDA, RPR, CSR #11720

1           A.    I wanted to see what data they stored  
2   to -- in their database.

3           Q.    Let's start with talking about what data  
4   is stored in the settlement group relating to a  
5   transaction. I took the deposition here an hour and  
6   a half ago of somebody from RDS and they talked  
7   about some things.

8                    So when a transaction that goes through  
9   the authorization process by RDS is authorized, is  
10   that information then provided to the settlement  
11   database or settlement system?

12           MR. JOLLEY: Objection. Vague and  
13   ambiguous.

14                    You can answer.

15           THE WITNESS: Yes, the settlement system.

16   BY MR. McCUNE:

17           Q.    Okay. And what information is delivered  
18   from RDS to the settlement system?

19           MR. JOLLEY: Objection. Vague and  
20   ambiguous.

21                    You can answer.

22           THE WITNESS: Transactional-related  
23   information.

24   BY MR. McCUNE:

25           Q.    Do you know the specifics of what that

1 A. Yes.

2 Q. Once that information comes from RDS to  
3 the settlement system, what does the settlement  
4 system do with the information?

5 A. We take the transaction, the log  
6 information, and we create the customer postings.  
7 We settle either the ATM or the switch where it's  
8 coming from. We do some reporting and we provide  
9 data to downstream applications.

10 Q. And what do you mean by downstream  
11 applications?

12 A. Well, there are other applications that  
13 take our data and do other things to it.

14 Q. What groups are those?

15 A. Well, the downstream application, one of  
16 them is for our customer posting records. It goes  
17 into an application that does some checking to make  
18 sure that the files are balanced and whatnot before  
19 they provide it to another application. There's  
20 deposits, ATM deposits. They go to another area  
21 that does verification of deposits. That kind of  
22 thing.

23 Q. Okay. How about the -- I forget what the  
24 name is, I think it's business marketing group?

25 MR. JOLLEY: Modeling.

1 MR. McCUNE: Modeling group, thank you.

2 Q. Where Mr. Lentz works --

3 A. Yeah, we also provide a file of all  
4 transaction information.

5 Q. To that group?

6 A. Uh-huh.

7 Q. That's a yes?

8 A. Yes, sorry.

9 Q. And that file that you are describing  
10 would include all the information that we just  
11 talked about from RDS?

12 A. It has -- yes.

13 Q. And would it include more than that?

14 A. Yes.

15 Q. So it would also include some information  
16 generated through the settlement system?

17 A. No.

18 Q. What other information?

19 A. Well, there is other data on the log.  
20 It's extraneous data, but everything that you talked  
21 about there, I believe, is on that file. But we  
22 don't take everything from the log and create that  
23 file. So certain information that we don't ever  
24 care about is dropped before we create that file.

25 Q. Okay. Just to make sure that there is no

1 misunderstanding, I am going to bore you with going  
2 through the list again. So RDS would send to the  
3 BMGP --

4 MR. JOLLEY: Sorry, he's not RDS, so --

5 MR. McCUNE: Sorry.

6 Q. The settlement group would send to this  
7 business modeling group information as to the  
8 authorization code being whether it was authorized  
9 as a normal operation or under overdraft?

10 A. Yes.

11 Q. Settlement group also would send the  
12 information to this BM -- I don't know why I have a  
13 such a hard time -- BMGP group on transaction  
14 amount?

15 A. Uh-huh, yes.

16 Q. It would also send the information on  
17 merchant information?

18 A. Yes.

19 Q. Also send the information to the BMGP  
20 group on date and time of transaction?

21 A. Yes.

22 Q. And by date and time of transaction, is  
23 that your understanding that that is the time that  
24 the transaction came into the system for  
25 authorization?

1 A. Yes.

2 Q. And does the settlement group send to the  
3 BMGP group the available balance information?

4 A. If it is on the log record we send it.

5 Q. Okay. As a normal course, putting aside  
6 sending the information downstream, how long does  
7 the settlement system keep that transaction  
8 information?

9 A. 180 days.

10 Q. What happens to it then?

11 A. It falls off the system. It's scratched.

12 Q. And what is the procedure for sending the  
13 information downstream to the BMGP group?

14 A. We create a file, a daily file, and they  
15 pick it up.

16 Q. Through your discussions with these four  
17 employees, do you have an understanding of BMGP's  
18 policy in keeping that data?

19 A. I did not ask them what their policy was,  
20 no.

21 Q. Do you have any understanding?

22 A. It would be a guess. I don't know.

23 MR. JOLLEY: I think there may be a  
24 misunderstanding on the question, so...

25 MR. McCUNE: Okay.

1 A. This was an old mnemonic, again, for  
2 telephone banking. I don't know what it stands for.

3 Q. So did the CZ replace the EE?

4 A. Yes.

5 Q. Do you know when that was?

6 A. It was roughly around 2002.

7 MR. JOLLEY: Rich, can we go off the  
8 record for a second?

9 (Whereupon, a brief discussion off the  
10 record.)

11 BY MR. McCUNE:

12 Q. During the break you had a little time to  
13 look at what has previously been marked as  
14 Exhibit 71?

15 A. Yes.

16 Q. After having a little time to review it,  
17 certain portions of that document, do you recognize?

18 A. Yes.

19 Q. Which portions are those?

20 A. Under the tran detail, while the last  
21 3 quarters of the page 1 and the subsequent 2 pages.

22 Q. And where do you recognize that from?

23 A. From a document that I reviewed with Mark  
24 Lentz.

25 Q. It was a different document than that?

1           A.    I don't know. I looked at it so quickly,  
2    I remember these field names in here but honestly, I  
3    didn't spend a whole lot of time looking at it, so  
4    it looks the same. It looks the same.

5           Q.    And why were you looking that over with  
6    Mark Lentz?

7           A.    To find out if -- what data he loads to  
8    his database.

9           Q.    And after the two of you were looking at  
10   that, did you come to the conclusion that the  
11   transaction date and time was loaded into the  
12   database?

13          A.    No, we did not talk about transaction date  
14   and time from this. We were looking at a different  
15   field.

16          Q.    What field were you looking at?

17          A.    Available balance or balance of the time  
18   of authorization. I think it's available balance.

19          Q.    Do you know where that is?

20          A.    It is not on here because they don't load  
21   it to their database, is what I found out. It's on  
22   my file I send them, but he doesn't load it.

23          Q.    So the available balance information, in  
24   talking with Mr. Lentz, the conclusion was the  
25   available balance information is not stored in the



1 database?

2 A. In his database, correct.

3 Q. And how did the two of you go about  
4 determining that?

5 A. I looked on my file and said, I get this  
6 field and I pass it to you. He looked at what I  
7 passed to him and says, yes, it's there, however,  
8 it's not a field that I load to the database. They  
9 don't load everything on my file.

10 Q. Was there discussion as to what happened  
11 to the information that came into his system but was  
12 not loaded into the database?

13 A. No.

14 Q. Do you know whether it's --

15 A. They don't load it, it's just destroyed  
16 or, you know, it's not used. They take -- it's my  
17 understanding that they take my data, they load it  
18 to their database, and this gets scratched. The  
19 file that I send them is deleted. It gets  
20 scratched. They are only loading their database  
21 once. That's my understanding, but I am not the  
22 expert.

23 Q. Was it your understanding that each of  
24 these fields that we see in this first three pages  
25 are loaded, though?

1           A.    Yes, that's my understanding, but I didn't  
2 go through any of these fields with him.

3           Q.    Did either of you bring in a technical  
4 person or a programmer to ask them?

5           A.    I didn't. I don't know what his  
6 background is. I have never spoke to him before. I  
7 assume he's a programmer but I could be wrong.

8           Q.    It was just the two of you going through  
9 this process?

10          A.    I was looking at my file and I know what  
11 is on my file and I said, this is what is on my  
12 file, I send it to you, do you get it? Yes, I get  
13 it, but I don't load it. That's about the whole  
14 conversation.

15          Q.    Okay. And was he looking at a document  
16 like Exhibit 1?

17          A.    It was on the phone. I don't know what he  
18 was looking at.

19          Q.    Okay.

20                MR. JOLLEY: Can we go off the record.

21                (Whereupon, a brief discussion off the  
22 record.)

23 BY MR. McCUNE:

24          Q.    Okay. Then I think -- let's talk about  
25 available balance a little bit.

1 Mr. Lentz told you that his group didn't  
2 have it. Did you check with the other groups?

3 A. Yes, I did.

4 Q. And who did you speak with at ATM ops?

5 A. Tim Ward.

6 Q. What did Mr. Ward tell you?

7 A. He does not load it either.

8 Q. Did he indicate to you what he did load?

9 A. No, I did not ask him.

10 Q. And then did you speak with somebody from  
11 risk?

12 A. Yes, and that would be Jim Adkins.

13 Q. And what did Mr. Adkins -- what was the  
14 first name?

15 A. Jim.

16 Q. What did Mr. Adkins tell you as to whether  
17 they saved the available balance information?

18 A. They do not load it to their database  
19 either.

20 Q. And the other one I have written down is  
21 MIS?

22 A. Alex Inker.

23 Q. And what did Mr. Inker say?

24 A. He does not load it either.

25 Q. So as far as you know, the only available

1 balance information related to transactions would be  
2 for the last 180 days?

3 A. Correct.

4 Q. But you verified on your system that it's  
5 information you have and you forwarded it to MIS,  
6 risk, ATM ops, and BMGP?

7 MR. JOLLEY: BMG.

8 THE WITNESS: Correct.

9 MR. McCUNE: Let me just double check, but  
10 I think that's all I have for you.

11 Q. Actually, I do have another question.

12 Do you have some sort of printout or some  
13 documentation of all the fields that you forward to  
14 these various groups?

15 A. Yes.

16 Q. And what is the name of that document?

17 A. It would be -- you know, it's going to be  
18 our ATDB layout.

19 Q. I'm sorry?

20 A. ATDB.

21 Q. Okay.

22 A. And then layout. I assume that's what it  
23 is. I don't remember the name of it on our shared  
24 drive, but that's basically what it is. The layout  
25 means -- it tells you the fields that are on there.

1 Q. And does it also tell you where those  
2 fields are forwarded?

3 A. No.

4 Q. Is there some document that would tell you  
5 that?

6 A. The fields don't go anywhere that are  
7 files. Everybody who gets this file gets the same  
8 data. It's one file and they come and look at it  
9 or, you know, load it, whatever they need. So...

10 Q. Is there some system to monitor what other  
11 groups within Wells Fargo are pulling from this  
12 data?

13 A. There is security access by the file name.  
14 Only those with security access can access the data.

15 Q. Would -- do you know whether that would  
16 tell you specific types of data?

17 A. No, it would not. It just tells you the  
18 file name.

19 Q. Did -- was there any paperwork that you  
20 could find that would tell you that you are sending  
21 all this transaction data to ATM ops?

22 MR. JOLLEY: Objection, misstates  
23 testimony in that he doesn't send it, but you can  
24 answer it if you understand.

25 THE WITNESS: Yeah, I don't -- I create a

1 file and it sits out on the mainframe. The other  
2 areas get access to that file name. I don't really  
3 send it to anybody. I create it and then they go  
4 pick it up and do what they need to with it.

5 BY MR. McCUNE:

6 Q. So of all these fields, any of these  
7 groups, they have access -- they have security  
8 access to come in and take what or copy what they  
9 think is relevant to them?

10 A. Correct. They can pick and choose.

11 Q. Okay. And if I understand your testimony  
12 correctly, you don't have a system that monitors  
13 what they are picking and choosing?

14 A. Correct, I do not.

15 MR. McCUNE: Okay, thanks. That's all the  
16 questions I have.

17 MR. JOLLEY: I have nothing.

18 (Whereupon, the deposition was concluded  
19 at 1:35 p.m.)  
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21  
22  
23  
24  
25

1 | DEPOSITION OFFICER'S CERTIFICATE

3 STATE OF CALIFORNIA }

4 COUNTY OF SACRAMENTO }

ES .

6 I, ELAINA L. BULDA, hereby certify:

7 I am a duly qualified Certified Shorthand  
8 Reporter in the State of California, holder of  
9 Certificate Number CSR 11720 issued by the Court  
0 Reporters Board of California and which is in full force  
1 and effect. (Fed. R. Civ. P. 28(a)).

2 I am authorized to administer oaths or  
3 affirmations pursuant to California Code of Civil  
4 Procedure, Section 2093(b) and prior to being examined,  
5 the witness was first duly sworn by me. (Fed. R. Civ.  
6 P. 28(a), 30(f)(1)).

7 I am not a relative or employee or attorney or  
8 counsel of any of the parties, nor am I a relative or  
9 employee of such attorney or counsel, nor am I  
0 financially interested in this action. (Fed. R.. Civ. P.  
1 28).

2 I am the deposition officer that  
3 stenographically recorded the testimony in the foregoing  
4 deposition and the foregoing transcript is a true record

5 / / /

1 of the testimony given by the witness. (Fed. R. Civ. P.  
2 30(f)(1)).

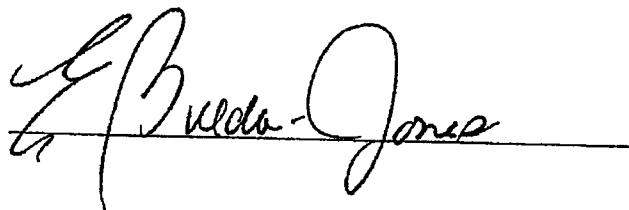
3 Before completion of the deposition, review of  
4 the transcript [XX] was [ ] was not requested. If  
5 requested, any changes made by the deponent (and  
6 provided to the reporter) during the period allowed, are  
7 appended hereto. (Fed. R. Civ. P. 30(e)).

8

9 Dated: 07/10/08

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11

A handwritten signature in cursive script, appearing to read "E. Buldo-Jones", is written over a horizontal line.

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